



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

10:06 A.M.

TUESDAY, April 28, 2009

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Sheridan in the chair.

Representative Nelson asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Father Eric Nielsen from St. Paul's University Catholic Center in Madison.

Representative Barca led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 99.

Absent with leave – None.

Vacancies – None.

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### LEAVES OF ABSENCE

Representative Barca asked unanimous consent for a leave of absence for part of today's session for Representatives Black, Molepske Jr., Shilling, A. Williams and Zepnick. Granted.

Representative Suder asked unanimous consent for a leave of absence for part of today's session for

Representatives Gunderson, Kaufert and Pridemore. Granted.

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### AMENDMENTS OFFERED

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 31** offered by Representatives Barca and Sinicki.

Assembly amendment 1 to **Senate Bill 20** offered by Representative Honadel.

Assembly amendment 2 to **Senate Bill 20** offered by Representative Honadel.

Assembly amendment 1 to **Senate Bill 51** offered by Representative Gundrum.

Assembly amendment 2 to **Senate Bill 51** offered by Representatives Hintz and Hebl.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 50**

Relating to: the public service of Allen J. Buechel.

By Representatives Spanbauer and Townsend; cosponsored by Senator Hopper.

To committee on **Rules**.

#### **Assembly Bill 233**

Relating to: use of a facsimile firearm and providing a penalty.

By Representatives Van Roy, Montgomery, Kerkman, A. Ott, Vos, LeMahieu, Berceau, Brooks, Nass, Townsend, Lothian, Spanbauer, Steinbrink and Ripp; cosponsored by Senators Hansen, Olsen, Schultz, Darling and Cowles.

To committee on **Criminal Justice**.

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### MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

- Assembly Bill 103**
- Assembly Joint Resolution 42**
- Assembly Joint Resolution 43**
- Assembly Joint Resolution 44**
- Assembly Joint Resolution 46**
- Assembly Joint Resolution 47**

Adopted and asks concurrence:

**Senate Joint Resolution 34**

Passed and asks concurrence:

**Senate Bill 20**

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**ACTION ON THE SENATE MESSAGE**

**Senate Joint Resolution 34**

Relating to: the life and public service of Dr. Akbar Ally.  
By Senators Taylor and Miller; cosponsored by Representatives Young, Berceau, Grigsby and Turner.  
To committee on **Rules**.

**Senate Bill 20**

Relating to: authorizing the circuit court to order a person who engages in discrimination in employment to pay compensatory and punitive damages and a surcharge and making an appropriation.  
By Senators Hansen, Robson, Lassa, Lehman, Miller, Vinehout, Taylor and Erpenbach; cosponsored by Representatives Sinicki, Jorgensen, Sheridan, Pocan, Nelson, Seidel, Colon, Parisi, Grigsby, Sherman, Shilling, Mason, Van Akkeren, Toles, Benedict, Soletski, Molepske Jr., Roys, Fields, Pasch, A. Williams, Young, Dexter, Richards, Hilgenberg, Pope–Roberts, Black, Garthwaite, Hixson, Berceau, Hintz, Smith, Turner, Vruwink, Zepnick, Cullen, Clark, Steinbrink, Schneider and Hubler.  
To committee on **Rules**.

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**ENROLLED BILLS AND JOINT RESOLUTIONS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Bill 43**
- Assembly Joint Resolution 28**
- Assembly Joint Resolution 34**
- Assembly Joint Resolution 35**

*PATRICK E. FULLER*  
Assembly Chief Clerk

**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 44**

1. Page 2, line 8: before “dentist” insert “a”.
2. Page 2, line 9: delete “or” and substitute “a”.
3. Page 2, line 10: before “pharmacist” insert “a”.
4. Page 2, line 11: before “chiropractor” insert “a”.
5. Page 2, line 11: before “physical” insert “a”.

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**Assembly Bill 195**

1. Page 2, line 8: before “dentist” insert “a”.
2. Page 2, line 9: delete “or” and substitute “a”.
3. Page 2, line 10: before “pharmacist” insert “a”.
4. Page 2, line 11: before “chiropractor” insert “a”.
5. Page 2, line 11: delete “or physical” and substitute “a physical”.

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**COMMUNICATIONS**

State of Wisconsin  
Legislative Reference Bureau  
Madison

**DATE:** April 28, 2009  
**TO:** Patrick E. Fuller  
Assembly Chief Clerk  
Robert Marchant  
Senate Chief Clerk  
**FROM:** Bruce J. Hoesly  
Code Editor

**SUBJECT:** Rules published in the March 30, 2009 Wisconsin Administrative [Register, No. 640](#).

The following rules have been published:

<a href="#">Clearinghouse Rule 06–108</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–046</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–075</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–079</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–080</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–094</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–100</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–101</a>	effective	5–1–2009
<a href="#">Clearinghouse Rule 08–106</a>	effective	5–1–2009

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**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Revenue  
Madison

April 21, 2009

To the Honorable, the Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending March 31, 2009. As required by s. 565.37 (3), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year-to-date Revenue and Expenditure information.

The information reported here is a summary and is not intended to be a complete financial accounting of Wisconsin Lottery operations.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,  
*ROGER M. ERVIN*  
Secretary

Referred to committee on **State Affairs and Homeland Security**.

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State of Wisconsin  
Department of Health Services  
Madison

April 24, 2009

To the Honorable, the Legislature:

The Department of Health Services is pleased to submit the 2008 Tobacco Use Cessation Annual Report to the Governor and the Legislature. The report is required by s. 255.15 (4).

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

Referred to committee on **Health and Healthcare Reform**.

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

April 17, 2009

To the Honorable, the Assembly:

The attached report updates the analysis of overtime in state agencies that we first provided in a letter report issued in June 2008. Both documents focus on premium overtime, which is paid at 1.5 times the employee's regular hourly rate, typically for work in excess of 40 hours per week.

From 2005 through 2008, state agencies paid a total of \$253.8 million in overtime, of which \$209.8 million was premium overtime. Premium overtime payments increased 15.8 percent over that four-year period, and 0.9 percent from 2007 to 2008. Payments at regular hourly rates to employees who

worked more than 40 hours per week increased \$0.8 million, or 11.6 percent, from 2007 to 2008.

Our previous analysis found that 90.0 percent of premium overtime payments were made by four state agencies that either have 24-hour operations or respond to emergencies: the Department of Corrections (DOC), the Department of Health Services (DHS, formerly the Department of Health and Family Services), the Department of Transportation, and the Department of Natural Resources. DOC's premium overtime payments declined \$1.3 million, or 3.7 percent, from 2007 to 2008, but the other three agencies' premium overtime payments increased. Our June 2008 report recommended that DOC and DHS analyze overtime use at their facilities and submit options for reducing overtime costs to the Joint Legislative Audit Committee by January 5, 2009. Both agencies recently requested additional time to submit their reports.

We also reviewed 2008 overtime payments to the ten employees with the highest premium overtime earnings from 2005 through 2007. Although payments to six of these individuals declined, their 2008 premium overtime earnings ranged from \$25,666 to \$85,818. We identified 25 DOC and DHS employees who each earned more than \$50,000 in premium overtime in addition to regular wages for 2008.

We appreciate the courtesy and cooperation extended to us by staff of the Office of State Employment Relations, DOC, and DHS.

Sincerely,  
*JANICE MUELLER*  
State Auditor

## CALENDAR OF TUESDAY, APRIL 28

### Assembly Joint Resolution 38

Relating to: the life and military service of Sergeant Daniel James Thompson.

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## SPECIAL GUEST

Representative Clark introduced Bob and Lisa Thompson and Maria Steinke, parents and fiancée of Sergeant Daniel James Thompson, who joined him at the rostrum.

The question was: Shall **Assembly Joint Resolution 38** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 38** be immediately messaged to the Senate. Granted.

### Assembly Joint Resolution 45

Relating to: the life and military service of Sergeant Clint A. Sikorski.

## SPECIAL GUEST

Representative Seidel introduced Walline and Maureen Sikorski, mother and sister of Sergeant Clint A. Sikorski, who joined her at the rostrum.

The question was: Shall **Assembly Joint Resolution 45** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 45** be immediately messaged to the Senate. Granted.

### Assembly Resolution 5

Relating to: the life and public service of Debbie Loiselle and Stuart Seffern.

The question was: Shall **Assembly Resolution 5** be adopted?

Motion carried.

Representative Black asked unanimous consent that his leave of absence be lifted. Granted.

Representative Zepnick asked unanimous consent that his leave of absence be lifted. Granted.

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Representative Barca asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

10:48 A.M.

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## RECESS

2:50 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

Representative Gunderson asked unanimous consent that his leave of absence be lifted. Granted.

Representative Molepske, Jr. asked unanimous consent that his leave of absence be lifted. Granted.

Representative Pridemore asked unanimous consent that his leave of absence be lifted. Granted.

Representative Shilling asked unanimous consent that her leave of absence be lifted. Granted.

Representative A. Williams asked unanimous consent that her leave of absence be lifted. Granted.

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## CALENDAR OF MONDAY, APRIL 27

### Assembly Bill 100

Relating to: preexisting condition exclusions, modifications at renewal, and establishing a standard application for individual health benefit plans and granting rule-making authority.

The question was: **Assembly Bill 100** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Krusick, Mason, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nelson, Parisi, Pasch, Petrowski, Pocan, Pope–Roberts, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, M. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 61.

Noes – Representatives Ballweg, Brooks, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Pridemore, Radcliffe, Rhoades, Roth, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Ziegelbauer and Zipperer – 38.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 100** be immediately messaged to the Senate. Granted.

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## MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

**Senate Joint Resolution 33**

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## ACTION ON THE SENATE MESSAGE

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 33** be withdrawn from the Senate message and taken up at this time. Granted.

### Senate Joint Resolution 33

Relating to: the life and military service of United States Army Sergeant Steven J. Christofferson.

By Senator Plale; cosponsored by Representative Sinicki.

The question was: Shall **Senate Joint Resolution 33** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 33** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 49**

Relating to: the life and military service of United States Army Sergeant Steven J. Christofferson.

Representative Nelson asked unanimous consent that **Assembly Joint Resolution 49** be laid on the table. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 25** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 25**

Relating to: the commemoration of The Progressive magazine's 100th anniversary.

The question was: Shall **Senate Joint Resolution 25** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 25** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 40**

Relating to: the commemoration of The Progressive magazine's 100th anniversary.

Representative Nelson asked unanimous consent that **Assembly Joint Resolution 40** be laid on the table. Granted.

#### **Assembly Joint Resolution 41**

Relating to: declaring June as Scoliosis Awareness Month.

The question was: Shall **Assembly Joint Resolution 41** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 41** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 23**

Relating to: declaring May as Amyotrophic Lateral Sclerosis Awareness Month.

The question was: Shall **Assembly Joint Resolution 23** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 23** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 48**

Relating to: Proclaiming May 2, 2009, as Pediatric Stroke Awareness Day.

The question was: Shall **Assembly Joint Resolution 48** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 48** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 50** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Joint Resolution 50**

Relating to: the public service of Allen J. Buechel.

Representatives LeMahieu, A. Ott and Ballweg asked unanimous consent to be made coauthors of **Assembly Joint Resolution 50**. Granted.

The question was: Shall **Assembly Joint Resolution 50** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 50** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 9** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Joint Resolution 9**

Relating to: proclaiming May 15, 16, and 17, 2009, Syttende Mai Weekend.

The question was: Shall **Assembly Joint Resolution 9** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 9** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 24** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 24**

Relating to: proclaiming May as American Stroke Month.

The question was: Shall **Senate Joint Resolution 24** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 24** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 28** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Joint Resolution 28**

Relating to: proclaiming April 22, 2009, as Undergraduate Research Day and commending University of Wisconsin System students, faculty, and staff.

The question was: Shall **Senate Joint Resolution 28** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 28** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 20** be withdrawn from the Senate message and taken up at this time.

Representative Gottlieb objected.

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Representative Suder asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

3:24 P.M.

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## **RECESS**

3:40 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

### **Assembly Bill 31**

Relating to: authorizing the circuit court to order a person who engages in discrimination in employment to pay compensatory and punitive damages and a surcharge and making an appropriation.

Representative Nelson asked unanimous consent that **Assembly Bill 31** be placed at the foot of today's calendar. Granted.

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## **MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

### **Senate Bill 29**

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## **ACTION ON THE SENATE MESSAGE**

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 29** be withdrawn from the Senate message and taken up at this time. Granted.

### **Senate Bill 29**

Relating to: passing parked motor vehicles and opening motor vehicle doors on highways and providing a penalty.

By Senators Risser, Miller, Hansen and Lehman; cosponsored by Representatives Black, Sherman, Mason, Berceau, Pope-Roberts, Ballweg, Pocan, Zepnick and A. Williams.

The question was: Shall **Senate Bill 29** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 29** be given a third reading. Granted.

The question was: **Senate Bill 29** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 29** be immediately messaged to the Senate. Granted.

### **Assembly Bill 59**

Relating to: passing parked motor vehicles and opening motor vehicle doors on highways and providing a penalty.

Representative Nelson asked unanimous consent that **Assembly Bill 59** be laid on the table. Granted.

### **Assembly Bill 68**

Relating to: the distribution of the first dollar property tax credit.

The question was: Shall **Assembly Bill 68** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 68** be given a third reading. Granted.

The question was: **Assembly Bill 68** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 68** be immediately messaged to the Senate. Granted.

### **Assembly Bill 95**

Relating to: preparation time as a mandatory subject of collective bargaining.

Assembly substitute amendment 1 to **Assembly Bill 95** offered by Representatives Kramer and Vukmir.

Representative Sinicki moved that Assembly substitute amendment 1 to **Assembly Bill 95** be laid on the table.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 95** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 52.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Wood and Zipperer – 47.

Absent or not voting – None.

Motion carried.

The question was: Shall **Assembly Bill 95** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 95** be given a third reading. Granted.

The question was: **Assembly Bill 95** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 52.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Meyer, Montgomery, Mursau,

Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Ziegelbauer and Zipperer – 47.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 95** be immediately messaged to the Senate. Granted.

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## MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 46**

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## ACTION ON THE SENATE MESSAGE

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 46** be withdrawn from the Senate message and taken up at this time. Granted.

**Senate Bill 46**

Relating to: arbitration and fair–share agreements during collective bargaining negotiations under the Municipal Employment Relations Act.

By Senators Hansen, Wirch, Lehman, Vinehout, Coggs and Erpenbach; cosponsored by Representatives Soletski and Berceau.

The question was: Shall **Senate Bill 46** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 46** be given a third reading. Granted.

The question was: **Senate Bill 46** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 52.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Ziegelbauer and Zipperer – 47.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 46** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 105**

Relating to: arbitration and fair–share agreements during collective bargaining negotiations under the Municipal Employment Relations Act.

Representative Nelson asked unanimous consent that **Assembly Bill 105** be laid on the table. Granted.

#### **Assembly Bill 122**

Relating to: appellate time limits and procedure.

The question was: Shall **Assembly Bill 122** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 122** be given a third reading. Granted.

The question was: **Assembly Bill 122** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Poca, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 122** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 123**

Relating to: appellate procedure regarding commitments of persons found not guilty by reason of mental disease or defect and commitments of sexually violent persons.

The question was: Shall **Assembly Bill 123** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 123** be given a third reading. Granted.

The question was: **Assembly Bill 123** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 123** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 124**

Relating to: appellate procedure.

The question was: Shall **Assembly Bill 124** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 124** be given a third reading. Granted.

The question was: **Assembly Bill 124** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 124** be immediately messaged to the Senate.

Representative Schneider objected.

#### **Assembly Bill 142**

Relating to: requiring a license to engage in the practice of landscape architecture.

The question was: Shall Assembly amendment 1 to **Assembly Bill 142** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu,

Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 142** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 142** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 142** be given a third reading. Granted.

The question was: **Assembly Bill 142** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, Friske, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kessler, Knodl, Krusick, Lothian, Mason, Meyer, Milroy, Molepske Jr., Nelson, Nerison, A. Ott, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Strachota, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vruwink, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 73.

Noes – Representatives J. Fitzgerald, Gottlieb, Gunderson, Gundrum, Kerkman, Kestell, Kleefisch, Kramer, LeMahieu, Mursau, Murtha, Nass, Newcomer, Nygren, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Roth, Stone, Suder, Vos, Vukmir and Zipperer – 25.

Absent or not voting – Representative Montgomery – 1.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 142** be immediately messaged to the Senate. Granted.

## **Assembly Bill 172**

Relating to: requiring instruction in public schools on the history of organized labor in America and the collective bargaining process.

Assembly substitute amendment 1 to **Assembly Bill 172** offered by Representatives Vukmir and Kramer.

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## **POINT OF ORDER**

Representative Parisi rose to the point of order that Assembly substitute amendment 1 to **Assembly Bill 172** was not germane pursuant to Assembly Rule 54.

Speaker Pro Tempore Staskunas took the point of order under advisement.

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## **MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 141**

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## **ACTION ON THE SENATE MESSAGE**

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 141** be withdrawn from the Senate message and taken up at this time. Granted.

## **Senate Bill 141**

Relating to: requiring certain vehicles that transport children to and from a child care provider to have child safety alarms installed, granting rule-making authority, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and providing a penalty.

By Senators Coggs, Carpenter, Taylor, Plale, Erpenbach, Risser and Hansen; cosponsored by Representatives Grigsby, Pasch, Richards, A. Williams, Berceau, Danou, Young, Turner, Fields, Cullen, Colon, Zepnick, Kessler, Sinicki, Toles and Parisi.

The question was: Shall **Senate Bill 141** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 141** be given a third reading. Granted.

The question was: **Senate Bill 141** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 141** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 176**

Relating to: requiring certain vehicles that transport children to and from a child care provider to have child safety alarms installed, granting rule-making authority, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and providing a penalty.

Representative Nelson asked unanimous consent that **Assembly Bill 176** be laid on the table. Granted.

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### **MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 161**

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### **ACTION ON THE SENATE MESSAGE**

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 161** be withdrawn from the Senate message and taken up at this time. Granted.

#### **Senate Bill 161**

Relating to: administration of certain public assistance programs in Milwaukee County, removing county civil service protections from certain employees, required

provisions in certain collective bargaining agreements under the Municipal Employment Relations Act, and making an appropriation.

By Senators Taylor, Plale and Cogg; cosponsored by Representatives Grigsby, Sinicki, Fields, Kessler and Pasch.

The question was: Shall **Senate Bill 161** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 161** be given a third reading. Granted.

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### **POINT OF ORDER**

Representative Gottlieb rose to the point of order that **Senate Bill 161** is not properly before the Assembly pursuant to Wisconsin Statutes 13.093 (3) and 16.47 (2) because it needed to be referred to the joint committee on **Finance**.

Speaker Pro Tempore Staskunas ruled the point of order **not well taken**.

“**Senate Bill 161** doesn’t need to go to the joint committee on **Finance** because bills only need to go to the joint committee on **Finance** if there is an appropriation involved.

This bill just sets up the mechanism for the county to reimburse the state for providing these oversight services in order to make this function revenue neutral. Since the bill is revenue neutral there is no need for the bill to go to the joint committee on **Finance**.

Also, it does NOT need an Emergency Statement because a bill only needs an emergency statement if it has a fiscal impact of more than \$10,000. There are 4 fiscal notes on the bill, 3 of them are indeterminate and the 4th says there is no fiscal impact.

Therefore it does not meet the requirements of an Emergency Statement.”

Representative Gottlieb appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 53.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl,

Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams and Zipperer – 46.

Absent or not voting – None.

Motion carried.

The question was: **Senate Bill 161** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 54.

Noes – Representatives Ballweg, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Young and Zipperer – 45.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 161** be immediately messaged to the Senate.

Representative Kleefisch objected.

### **Assembly Bill 194**

Relating to: administration of certain public assistance programs in Milwaukee County, removing county civil service protections from certain employees, required provisions in certain collective bargaining agreements under the Municipal Employment Relations Act, and making an appropriation.

Assembly amendment 1 to **Assembly Bill 194** offered by Representative Honadel.

Assembly amendment 2 to **Assembly Bill 194** offered by Representatives Richards, Young and Pasch.

Assembly amendment 3 to **Assembly Bill 194** offered by Representative Grigsby.

Representative Nelson asked unanimous consent that **Assembly Bill 194** be laid on the table. Granted.

### **Senate Bill 49**

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

The question was: Shall **Senate Bill 49** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 49** be given a third reading. Granted.

The question was: **Senate Bill 49** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Brooks, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Knodl, Krusick, Mason, Milroy, Molepske Jr., Murtha, Nass, Nelson, A. Ott, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Rhoades, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 63.

Noes – Representatives Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Huebsch, Kerkman, Kestell, Kleefisch, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Nerison, Newcomer, Nygren, J. Ott, Petersen, Petrowski, Pridemore, Ripp, Roth, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams and Zipperer – 36.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 49** be immediately messaged to the Senate.

Representative Kleefisch objected.

### **Assembly Bill 81**

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

Representative Nelson asked unanimous consent that **Assembly Bill 81** be laid on the table. Granted.

### **Senate Bill 51**

Relating to: judicial discretion in certain John Doe proceedings and the provision of attorney representation of state employees at John Doe proceedings.

Representative Nelson moved rejection of Assembly substitute amendment 1 to **Senate Bill 51**.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 51** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, M. Williams, Wood, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 95.

Noes – Representatives Kessler, Richards, A. Williams and Young – 4.

Absent or not voting – None.

Motion carried.

Representative Gundrum asked unanimous consent that Assembly amendment 1 to **Senate Bill 51** be placed after Assembly amendment 2 to **Senate Bill 51**. Granted.

The question was: Shall Assembly amendment 2 to **Senate Bill 51** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

Representative Gundrum asked unanimous consent that Assembly amendment 1 to **Senate Bill 51** be withdrawn and returned to the author. Granted.

The question was: Shall **Senate Bill 51** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 51** be given a third reading. Granted.

The question was: **Senate Bill 51** having been read three times, shall the bill be concurred in as amended?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 97.

Noes – Representatives Kessler and A. Williams – 2.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 51** be immediately messaged to the Senate. Granted.

### **Assembly Bill 78**

Relating to: judicial discretion in certain John Doe proceedings and the provision of attorney representation of state employees at John Doe proceedings.

Representative Nelson asked unanimous consent that **Assembly Bill 78** be laid on the table. Granted.

### **Senate Bill 94**

Relating to: the licensing and regulation of thermal system insulation mechanics; creating a thermal system insulation council; requiring the employment of a state inspector; establishing standards for installing and maintaining thermal system insulation; requiring the exercise of rule-making authority; making an appropriation; and providing a penalty.

Representative Van Roy asked unanimous consent to be withdrawn as a cosponsor of **Senate Bill 94**. Granted.

The question was: Shall **Senate Bill 94** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 94** be given a third reading. Granted.

The question was: **Senate Bill 94** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hintz, Hixson, Hraychuck, Jorgensen, Kaufert, Kerkman, Kessler, Krusick, Mason, Milroy, Molepske Jr., Montgomery, Murtha, Nelson, Nerison, Newcomer, A. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Sheridan – 64.

Noes – Representatives J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Hilgenberg, Honadel, Hubler, Huebsch, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Mursau, Nass, Nygren, J. Ott, Pridemore, Rhoades, Ripp, Roth, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vruwink, Vukmir, Zigmunt and Zipperer – 35.

Absent or not voting – None.

Motion carried.

Representative Zigmunt asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 94** be immediately messaged to the Senate. Granted.

### **Assembly Bill 102**

Relating to: the licensing and regulation of thermal system insulation mechanics; creating a thermal system insulation council; requiring the employment of a state inspector; establishing standards for installing and maintaining thermal system insulation; requiring the exercise of rule-making authority; making an appropriation; and providing a penalty.

Representative Van Roy asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 102**. Granted.

Representative Nelson asked unanimous consent that **Assembly Bill 102** be laid on the table. Granted.

Representative Nelson asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

5:00 P.M.

### **INFORMAL**

6:00 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

The committee on **Rules** introduced a privileged resolution.

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## **INTRODUCTION AND REFERENCE OF PROPOSALS**

Read first time and referred:

### **Assembly Resolution 8**

Relating to: establishing special orders of business for Wednesday, April 29, 2009.

By committee on **Rules**.

The question was: Shall **Assembly Resolution 8** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 52.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Wood and Zipperer – 47.

Absent or not voting – None.

Motion carried.

**Assembly Bill 124** was made a special order of business at 7:00 A.M. on Wednesday, April 29, pursuant to **Assembly Resolution 8**. Granted.

**Senate Bill 161** was made a special order of business at 7:01 A.M. on Wednesday, April 29, pursuant to **Assembly Resolution 8**. Granted.

**Senate Bill 49** was made a special order of business at 7:02 A.M. on Wednesday, April 29, pursuant to **Assembly Resolution 8**. Granted.

**Senate Bill 20** was made a special order of business at 7:04 A.M. on Wednesday, April 29, pursuant to **Assembly Resolution 8**. Granted.

### **Assembly Bill 172**

Relating to: requiring instruction in public schools on the history of organized labor in America and the collective bargaining process.

Assembly amendment 1 to **Assembly Bill 172** offered by Representative Honadel.

Representative Vukmir asked unanimous consent that Assembly substitute amendment 1 to **Assembly Bill 172** be withdrawn and returned to the author. Granted.

Assembly substitute amendment 2 to **Assembly Bill 172** offered by Representatives Jorgensen, Vukmir, Kramer, Sinicki and Krusick.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 172** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 172** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 172** be given a third reading. Granted.

The question was: **Assembly Bill 172** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, Friske, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Jorgensen, Kaufert, Kessler, Kramer, Krusick, Lothian, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Petrowski, Pocan, Pope–Roberts, Radcliffe, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, Vukmir, A. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 61.

Noes – Representatives Ballweg, Brooks, J. Fitzgerald, Gottlieb, Gunderson, Gundrum, Honadel, Hubler, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, LeMahieu, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Pridemore, Rhoades, Roth, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, M. Williams, Ziegelbauer and Zipperer – 38.

Absent or not voting – None.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 172** be immediately messaged to the Senate. Granted.

### **Assembly Bill 31**

Relating to: authorizing the circuit court to order a person who engages in discrimination in employment to pay compensatory and punitive damages and a surcharge and making an appropriation.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 31** offered by Representative Sinicki.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 31** offered by Representative Honadel.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 31** offered by Representative Honadel.

Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 31** offered by Representative Honadel.

Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 31** offered by Representative Pridemore.

Representative Nelson asked unanimous consent that **Assembly Bill 31** be laid on the table. Granted.

Representative Gottlieb moved that the rules be suspended and that **Assembly Bill 42** be withdrawn from the committee on **Elections and Campaign Reform** and taken up at this time.

### **Assembly Bill 42**

Relating to: acceptance of certain political contributions by certain elective state officials, officials elect, and committees and providing a penalty.

The question was: Shall the rules be suspended and **Assembly Bill 42** be withdrawn from the committee on **Elections and Campaign Reform** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams, Wood and Zipperer – 47.

Noes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 52.

Absent or not voting – None.

Motion failed.

Representative Bies asked unanimous consent to be made a coauthor of **Assembly Bill 215**. Granted.

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## MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

**Assembly Joint Resolution 38**  
**Assembly Joint Resolution 45**

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## VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Crystal Ikanih, guest and intern of Representative Fields.

Matthew Hartlaub from Williams Bay, guest of Representative Lothian.

Students from Madison Country Day School, guests of Representative Parisi.

Student members of Project Lead The Way from Oshkosh West High School, guests of Representative Hintz.

Business Law students from Edgerton High School, accompanied by their teacher, Tom Worth, guests of Representative Hixson.

Madeline Popelka from Sevastopol, Senate Scholar Program participant, guest of Representative Bies.

Sarah Danielson from Racine, Senate Scholar Program participant, guest of Representative Turner.

Emma Allmann from Mosinee, Senate Scholar Program participant, guest of Representative Petrowski.

Mike Paluchniak from Oostburg, Senate Scholar Program participant, guest of Representative LeMahieu.

Lyle Spangler, Senate Scholar Program participant, guest of Representative Brooks.

Angela Stensberg from Wisconsin Rapids, Senate Scholar Program participant, guest of Representative Schneider.

Erica Martin from Sun Prairie, Senate Scholar Program participant, guest of Representative Hebl.

Jason Krug, Senate Scholar Program participant, guest of Representative Vruwink.

Kyle Hoffmeister from Mercer, Senate Scholar Program participant, guest of Representative Sherman.

Nathan Bollhorst from Dodgeville, Senate Scholar Program participant, guest of Representative Hilgenberg.

Matt Fronsee, guest and intern of Representative Hixson.

Stan and Sherry Jones from Watertown, guests of Representative Kleefisch.

Brian Casey, guest of Representative Vos.

Jake Burow from Fort Atkinson, guest and intern of Representative Jorgensen.

Tony Brown from Fort Atkinson, guest and intern of Representative Jorgensen.

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## ANNOUNCEMENTS

Representative Shilling asked unanimous consent that the Assembly adjourn in memory of her parents, Richard and Lynn Ehlenfeldt, Rico Solis, Michael Castro, Guadalupe Malonado, Marcus Nellsen and Thomas Mennes, who lost their lives at their workplace and in recognition of Workers Memorial Day. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of Marine Cpl. Jacob "Jake" Janes of Evansville, who was seriously injured in Afghanistan. Cpl. Janes, who volunteered to serve first in Iraq and a year later in Afghanistan, had both his legs amputated after stepping on an improvised explosive device. Granted.

Representative Nygren asked unanimous consent that the Assembly adjourn in honor of his daughter, Cali Nygren, on the occasion of her 11th birthday. Granted.

Representative Smith asked unanimous consent that the Assembly adjourn in honor of Eric Craker, who saved his parents, Martha and Bob Smith, from their smoke filled home in Eau Claire. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of the Wisconsin Army National Guard 32nd Infantry Brigade (Separate) (Light) for their tour of duty in Iraq. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of Amanda McClain and Erica Meier, both of Whitewater, who participated in Undergraduate Research Day and were recognized for their outstanding oral presentations. Granted

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## ADJOURNMENT

Representative Nelson moved that the Assembly stand adjourned until 8:00 A.M. on Wednesday, April 29.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

6:46 P.M.